Marital Rape Conundrum

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The so-called marital rape, the act of sexual intercourse with one's spouse, which in popular parlance is without wife's consent, has to be contextualized with conjugal rights, 'especially to sexual relations, regarded as exercisable in law by each partner in a marriage'.

Besides, the question of sexual consent in marriage, which is but a 'legally or formally recognized union of two people as partners in a personal relationship (historically and in some jurisdictions specifically a union between a man and a woman) has to juxtaposed with the sexual violation in rape that is an 'unlawful sexual intercourse or any other sexual penetration of the vagina, anus, or mouth of another person, with or without force, by a sex organ, other body part, or foreign object, without the consent of the victim'.

Hence, the so-called marital rape in a 'legally or formally recognized union of two people' is an oxymoron for rape is an 'unlawful sexual intercourse'. Moreover, it's futile not to reckon the proximity of spouse that furthers the proclivities of man in appreciating his marital violation that is besides the state of their union. Given the accommodative nature of marriage, the couples tend to address their differing libidos and varying moods through assorted means that nature provides for sexual relief, generally speaking that is.

So, women may bear in mind Raja Rao's advice to his spouse in the author's Benign Flame: Saga of Love:

"Sandhya, do realise that sex is the nature's gift for both the sexes. If you mistake that you've more to give than receive in it, then the woman in you would lose as wife for you won't be able to experience the joy of being a female. So don't ever demean lovemaking as an instrument of sexual blackmail. It pays you to know that sex is not about male satiation alone but it is as much a womanly fulfillment."

However, if man's libido were to become wife's menace then law provides her the means for divorce on the ground of cruelty in marriage. That being the case if 'marital rape' were to be criminalized then it would become a 'female tool' for a vicious wife to settle scores with her man in a cantankerous marriage.